

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUO MOTO PIL NO. 01 OF 2023

High Court On Its Own Motion

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

WITH

INTERIM APPLICATION NO. 621 OF 2024

IN

SUO MOTU PETITION NO. 1 OF 2023

Bombay Bar Association

... Applicant

V/s.

High Court on its own Motion

... Respondent

WITH

INTERIM APPLICATION NO. 782 OF 2024

IN

SUO MOTU PETITION NO. 1 OF 2023

Bandra Reclamation Area Volunteers Organization

... Applicant

V/s.

State of Maharashtra and Anr.

... Respondents

WITH

INTERIM APPLICATION (L) NO. 7056 OF 2024

IN

SUO MOTU PETITION NO. 1 OF 2023

Vivek Jaswant Singh

... Applicant

V/s.

High Court on its Own Motion and Ors.

... Respondents

WITH
INTERIM APPLICATION NO. 666 OF 2024
IN
SUO MOTU PETITION NO. 1 OF 2023

Atul Ramanlal Vora ... Applicant
V/s.
High Court on its Own Motion ... Respondent

WITH
INTERIM APPLICATION (L) NO. 23233 OF 2024
IN
SUO MOTU PETITION NO. 1 OF 2023

Charkop Gorai Hawkers Welfare ... Applicant
V/s.
High Court on its own Motion ... Respondent

WITH
INTERIM APPLICATION (L) NO. 22832 OF 2024
IN
SUO MOTU PETITION NO. 1 OF 2023

Kamgar Ekta Union Maharashtra
through President Mecanzy Peter Dabre ... Applicant
V/s.
State of Maharashtra and Ors. ... Respondents

WITH
INTERIM APPLICATION (L) NO. 22809 OF 2024
IN
SUO MOTU PETITION NO. 1 OF 2023

Lal Bavta General Kamgar Union
through President Madhukar Rajaram Parab ... Applicant
V/s.
State of Maharashtra and Ors. ... Respondents

WITH
INTERIM APPLICATION (L) NO. 21142 OF 2024
IN
SUO MOTU PETITION NO. 1 OF 2023

Chapel Lane (Damian Joseph Pinto Road)
and Tank Residents Association A.L.M. 143 ... Applicant
V/s.
High Court on its own Motion ... Respondent

WITH
INTERIM APPLICATION (L) NO. 1242 OF 2025
IN
SUO MOTU PETITION NO. 1 OF 2023

Indian Hotel and Restaurant Association
through Authorized Officer Atif Rasool Sojar ... Applicant
V/s.
High Court on its own Motion ... Respondent

WITH
WRIT PETITION (L) NO. 4022 OF 2025

Yusuf Hussain Mystry ... Petitioner
V/s.
Town Vending Committee -MCGM & Ors. ... Respondents

WITH**WRIT PETITION (L) NO. 4024 OF 2025**

Omprakash N. Mangalam ... Petitioner

V/s.

Town Vending Committee -MCGM & Ors. ... Respondents

WITH**WRIT PETITION NO. 766 OF 2021**

Bombay Hawkers Association ... Petitioner

V/s.

Municipal Corporation Of Gr. Mumbai & Ors. ... Respondents

WITH**CONTEMPT PETITION NO. 2 OF 2024****IN****PUBLIC INTEREST LITIGATION NO. 60 OF 2023**

Dharma Rajaram Vallakati ... Petitioner

V/s.

The State of Maharashtra

through Government Pleader ... Respondent

WITH**WRIT PETITION NO. 1262 OF 2023**

Sagar Park Co-Operative Housing Soc. & Ors. ... Petitioners

V/s.

Municipal Corporation Of Gr. Mumbai & Ors. ... Respondents

WITH**WRIT PETITION NO. 2750 OF 2019**

Bombay Hawkers Association ... Petitioner

V/s.

Chairperson, Town Vending Committee -MCGM & Ors. ... Respondents

Mr. Jamshed Mestry, Amicus Curie a/w. Mr. Dipesh Siroya, present.

Mr. Prerak Choudhary for Intervenors.

Mr. Amar Gharte for Applicants in IA/782/2024 & IA/666/2024.

Mr. Kevik Setalvad, Senior Advocate a/w. Ms. Oorja Dhond, Ms. Sneha Prabhu i/b. Ms. Komal Punjabi for Respondent No.2 in SMP/01/2023.

Mr. Vijay Adsul, Dy. Supdt., Licence Dept., present.

Mr. Anoop Patil a/w. Ms. Oorja Dhond i/b. Ms. Komal Punjabi for Respondent Nos.2 to 4 in CP/02/2024 in PIL/60/2023.

Ms. Tapsya Dhamne, Sr. Inspector Licence (Encroachment Removal), BMC, Respondent No.4 (Contemner), present.

Mr. Yash Kataria i/b. S. Mahomedbhai & Co. for Applicants in IA/621/2024.

Ms. K.M. Mastakar i/b. Ms. Komal Punjabi for Respondent-BMC in WP/4022/2025 & WP/4025/2025.

Ms. S.V. Tondwalkar i/b. Ms. Komal Punjabi for Respondent-BMC in WP/1262/2023 & WP/2750/2019.

Ms. Namrata Parab, Sr. Inspector (Encroachment), N/Ward.

Mr. Manoj Shirsat a/w. Mr. Yogendra M. Koli i/b. Mr. Mohammad Ashraf for Petitioners in WP/766/2021 & WP/2750/2019.

Mr. S.M. Seegarla for Petitioners in CP/02/2024 in PIL/60/2023.

Mr. Indrajeet Joshi for Petitioners in WP/1262/2023.

Mr. Suryakant Doke, PSI, Borivali and Mr. Vishwanath Chavan, PI, DCP Operation, CP Office, Mumbai, present.

Mr. Deepak C.N. a/w. Ms. Gayatri K.D. i/b. Deepak & Co. for Petitioners in WPL/4022/2025 & WPL/4024/2025.

Ms. P.H. Kantharia, G.P. a/w. Mr. Abhay L. Patki, Addl. G.P. & Ms. Rita Joshi, A.G.P. for Respondent-State in SMP/01/2023.

- Ms. P.H. Kantharia, G.P a/w. Ms. Sheetal Malvankar, A.G.P for Respondent-State in IAL/23233/2024.
- Ms. P.H. Kantharia, G.P a/w. Ms. Vrushali Kabre, A.G.P for Respondent-State in IAL/666/2024.
- Ms. P.H. Kantharia, G.P a/w. Ms. Usha Rahi, A.G.P for Respondent-State in IAL/22809/2024.
- Ms. P.H. Kantharia, G.P a/w. Ms. Anupama Pawar, A.G.P for Respondent-State in IAL/7056/2024.
- Ms. P.H. Kantharia, G.P a/w. Ms. Madhura Deshmukh, A.G.P for Respondent-State in IAL/22832/2024.
- Ms. P.H. Kantharia, G.P a/w. Mr. Suraj Gupte, A.G.P for Respondent-State in IAL/621/2024.
- Ms. P.H. Kantharia, G.P a/w. Ms. Fatima Lakdawala, A.G.P for Respondent-State in IAL/782/2024.
- Ms. P.H. Kantharia, G.P a/w. Ms. Jyoti Chavan, A.G.P for Respondent-State in IAL/21142/2024.
- Ms. P.H. Kantharia, G.P a/w. Ms. Rita Joshi, A.G.P & Adv. A. Thipsay, B Panel Counsel for Respondent-State in WPL/4022/2025.
- Ms. P.H. Kantharia, G.P a/w. Mr. Nishigandh Patil, A.G.P & Adv. A. Thipsay, B Panel Counsel for Respondent-State in WPL/4024/2025.
- Ms. P.H. Kantharia, G.P a/w. Mr. Akshay Patkar, A.G.P for Respondent-State in WPL/766/2021.
- Ms. P.H. Kantharia, G.P a/w. Mr. Manish Upadhye, A.G.P for Respondent-State in CONPW/02/2024 in PIL/60/2023.
- Ms. P.H. Kantharia, G.P a/w. Mr. Abhay Patki, A.G.P for Respondent-State in WP/2750/2019.
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**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 7th March 2025.

P.C. :

1) Mr. Setalvad, learned senior counsel appearing for BMC seeks leave to file Affidavit placing on record the documents, which inadvertently could not be annexed to the earlier Affidavit dated 15th January 2025 of Mr. Anil L. Kate.

2) At his request, stand over to 17th March 2025 at 2:30 p.m..

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

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SHIVAHAR
KUMBHAKARN

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by OMKAR
SHIVAHAR
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